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NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON VA 22203

**COPY MAILED**

**MAY 24 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Joseph Potter, Kuo Wei Chang, Dennis :  
I. Goldberg, and Julian L. Henley : DECISION ON TWO PETITIONS  
Application No. 10/807,295 : UNDER 37 C.F.R. §§1.48(b)  
Filed: March 24, 2004 : AND 1.182  
Attorney Docket No. 3589-56 :  
Title: ELECTROKINETIC DELIVERY OF :  
MEDICAMENTS :

This is a decision on the two petitions filed concurrently on March 23, 2005 under 37 C.F.R. §§ 1.48(b) and 1.182, to delete the names of two inventors and to change the order of the names of the remaining inventors.

The petition under 37 C.F.R. § 1.48(b):

Petitioner has requested that inventors Christopher H. Porter and V. Lorenzo Porcelli be deleted from the present application due to amendment or cancellation of claims. Petitioner has submitted a request, signed by a party set forth in 37 C.F.R. §1.33(b), to correct the inventorship that identifies the named inventors being deleted and acknowledges that the inventor's invention is no longer being claimed in the nonprovisional application. The processing fee set forth in 37 C.F.R. § 1.17(i) has been charged to Petitioner's Deposit Account, as authorized in the petition.

As such, the petition under 37 C.F.R. § 1.48(b) is **GRANTED**.

The petition under 37 C.F.R. §1.182:

The fee which is associated with the filing of this petition has been charged to Petitioner's Deposit Account, as authorized in the

petition.

As such, the petition under 37 C.F.R. § 1.182 is **GRANTED**.

The order of the names of the inventors has been changed as follows:

Joseph Potter  
Kuo Wei Chang  
Dennis I. Goldberg  
Julian L. Henley

A filing receipt reflecting this change is enclosed.

After this decision is mailed, the application file will be forwarded to the Office of Patent Publications for further processing into a patent.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**

Encl. Corrected Filing Receipt



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/807,295	03/24/2004	3743	1121	3589-56	15	54	2

23117  
 NIXON & VANDERHYE, PC  
 901 NORTH GLEBE ROAD, 11TH FLOOR  
 ARLINGTON, VA 22203

**CONFIRMATION NO. 3980**  
**CORRECTED FILING RECEIPT**  
**\*OC000000019313627\***  
 \*OC000000019313627\*

Date Mailed: 06/16/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Joseph Potter, Oak Bluffs, MA;  
 Kuo Wei Chang, Waltham, MA;  
 Dennis I. Goldberg, Boston, MA;  
 Julian L. Henley, New Haven, CT;

**Assignment For Published Patent Application**

Biophoretic Therapeutic Systems, LLC, Framingham, MA

**Power of Attorney:**

Richard Besha-22770

**Domestic Priority data as claimed by applicant**

This application is a DIV of 10/245,337 09/18/2002 PAT 6,735,470  
 which is a DIV of 09/584,138 05/31/2000 PAT 6,477,410

**Foreign Applications**

If Required, Foreign Filing License Granted: 06/03/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is  
**US10/807,295**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

ELECTROKINETIC DELIVERY OF MEDICAMENTS

**Preliminary Class**

604

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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